

## **Remarks**

### **Introduction**

Receipt of the Office Action dated March 12, 2002 is acknowledged. The present amendment amends claim 10 in formal regards to omit the "preferably" clause and the omitted subject matter is now positively recited in claim 21. No new matter has been added. Entry of the amendment and favorable reconsideration are earnestly solicited. Claims 1-21 are pending.

### **Specification Objections**

On page 2 of the Action, the specification has been variously objected to based on arrangement of the certain aspects of the specification. The Patent Office is respectfully requested to hold this objection in abeyance until such time as the instant claims are indicated as allowable. At that time, the Examiner is courteously invited to contact the office of the undersigned attorney of record in order to amend the specification as necessary to comply with PTO policies.

### **Claim Rejections**

#### **Rejections under 35 U.S.C. 112**

On page 3 of the Office Action, claims 1-5 and 10 are rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. This rejection is respectfully traversed.

With regards to claim 1, the Examiner alleges that Applicants have not clearly described what is meant by term "sponge cloth." As correctly pointed out by the Examiner, U.S. Patent No. 6,129,687 to Chevalier *et al.* uses the term "sponge-cloth" for example at Col. 1 lines 7-15. In addition, Applicants state in the instant specification that sponge cloths are known on page 1 lines 1-6. Thus it is clear that the expression "sponge cloth" was known at the time of the present invention.

In order to more fully appreciate what "sponge cloth" represents, Applicants enclose herewith exemplary samples of both dry and premoistened sponge cloth as employed in the art.

The Examiner is respectfully requested to review the enclosed samples and keep the same in the present official file.

As far as the use of a broad range of limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim), this point is now moot in view of the instant amendment to claim 10 and the newly added claim 21

The instant rejection based on § 112, second paragraph is therefore believed to be improper and should be withdrawn.

**Rejections under 35 U.S.C. §§ 102 and 103**

On page 4 of the Office Action, claims 1-4 have been rejected under 35 U.S.C. § 102(e) based on WO98/28360.

On page 5 of the Office Action, claims 1-5, 8, 11, 12, and 15 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent Number 6,129,867 to Chevalier *et al.*

On page 6 of the Office Action, claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,129,867 to Chevalier *et al.*

On page 8 of the Office Action, claims 9, 10, 13, 14, 16 and 17-20 are rejected under 35 U.S.C. 103(e) as being unpatentable over U.S. Patent Number 6,129,867 to Chevalier *et al.* Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,129,867 to Chevalier *et al.*

It is respectfully submitted that in view of the instantly submitted certified translation of Applicants' German priority document, these rejections are now moot. Namely, after submission of a certified copy of the priority application, Applicants are entitled to rely upon the priority date of their German application under 35 U.S.C. § 119. The Examiner is therefore respectfully requested to reconsider and withdraw the outstanding rejections based on 102(e) and 103 (a).

### Conclusion

In view of the instant amendments and foregoing remarks, reconsideration of the application and allowance of all claims is requested. If there are any issues remaining that the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the local exchange listed below.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS**

10. The process of claim 6, wherein the fibers fraction is 5 to 50% by weight [, preferably 10 to 40% by weight], based on the dry weight of the sponge cloth.